IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

–

WRIT PETITION NO : 4252 of 2005

Between:

N.Naschiketi Bushan, s/o Sri N.Uday Bushan,
r/o 5-9-933, Gunfoundary, Hyderabad.

..... PETITIONER

AND

1 The District Collector, R.R.District, Saifabad, Hyderabad.
2 District Registrar, R.R.District.
3 The Sub Registrar, Medchal, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus calling for the records from the 1st respondent herein relating to circular instructions Rc.No.E2/406/2001 dt.6-2-2001 and declare the same as illegal, arbitrary and violative of Art.14 and 19 of the Constitution of India and ultra vires of the Registration Act and consequently direct the 2nd and 3rd respondents herein to register the sale deed in respect of the petitioners land bearing Plot No.S-79 in S.No.329/4, 329/5 admeasuring 200 sq.yards or 167.5 sq.mtrs. situated at Mahadevapuram residential project Phase III Gajularamaram Village Qutubullapur Mandal, R.R.District in favour of the prospective purchasers and to pass in the interest of justice.

Counsel for the Petitioner:MR.K.V.RAJENDRA PRASAD

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

The petitioner challenges the circular instructions issued by the Joint Collector, R.R. District on 06.02.2001, prohibiting the Mandal Revenue Officers of the District from issuing 'No Objection Certificates' in the context of alienation or assignment of lands. Reliance is placed upon a judgment rendered by this Court in W.P.No.12433 of 2004.

The writ petition was listed 'for admission' on 04.03.2005 and it was adjourned till today to enable the learned Government Pleader for obtaining instructions. Today, the learned Government Pleader has placed before this Court, a copy of G.O.Ms.No.287, dated 09.03.2005, issued by the Government, in exercise of power, under Section 22-A of the Registration Act. The land claimed by the petitioner in Survey Nos.329/4 and 5 of Gajularamaram Village, Qutubullapur Mandal, Ranga Reddy District, is shown at item numbers 56 and 57 of the annexure to the G.O.

Hence, no relief can be granted to the petitioner, at this stage, and if he is so advised, he can assail the G.O. in accordance with law.

The writ petition is accordingly disposed of. There shall be no order as to costs.

10.03.2005

ksld

To

1 The District Collector, R.R.District, Saifabad, Hyderabad.
2 The District Registrar, R.R.District.
3 The Sub Registrar, Medchal, R.R.District.

4 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad (OUT).

5 Two CD copies.